

11-14-06

C of C

CASE 4-20039C

FILING BY "EXPRESS MAIL" UNDER 37 CFR 1.10

EV 727272148 US
Express Mail Label Number

November 13, 2006
Date of Deposit



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE PATENT NO. 7,057,016 OF

Art Unit: 1644

NICO CERLETTI

Examiner: D. Romeo

ISSUED: 7,057,016

APPLICATION NO: 09/813,271

FILED: MARCH 20, 2001

FOR: NEW PROCESS FOR THE PRODUCTION OF BIOLOGICALLY
ACTIVE PROTEIN

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Attention: Certificate of Correction Branch

REQUEST FOR A CERTIFICATE OF CORRECTION UNDER 37 CFR §1.322

Sir:

Pursuant to 37 CFR 1.322, it is hereby respectfully requested that a Certificate of Correction be issued for United States Patent **7,057,016** containing the corrections set forth on the appended Form PTO 1050.

The International Application No. PCT/EP95/02719, filed on July 12, 1995, was omitted from the "**Related U.S. Application Data**" on the title page and in column 1 of the patent, which lists the lineage. This error is supported by the Declaration (a copy is enclosed herewith) filed originally in application No. 08/776,444 and a copy of the same Declaration filed in the instant application. Application No. 08/776,444, as listed in the lineage, is a 371 of International Application No. PCT/EP95/02719, filed on July 12, 1995, and patentee feels it is important to include the international application on the cover page and in column 1 of USP 7,057,016. Also enclosed is a copy of the filing receipt from Application No. 09/316,724 which shows that the lineage should include the above-mentioned international application.

Certificate

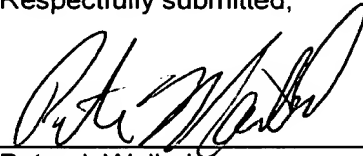
NOV 16 2006

of Correction

NOV 28 2006

As will be noted in the application as filed, this error is not attributable to the patentee so it is submitted that no fee is due. However, should it be determined that a fee is necessary, patentee hereby gives the Commissioner authorization to debit Deposit Account 19-0134.

Respectfully submitted,



Peter J. Waibel
Attorney for Patentees
Reg. No. 43,228

Novartis
Corporate Intellectual Property
One Health Plaza, Building 104
East Hanover, NJ 07936-1080
(862) 778-7951
PJW/dd
Encls.: Form PTO-1050 (2)
 copy of Declaration
Date: NOV 13 2006

NOV 28 2006

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT NO : 7,057,016
DATED: : June 6, 2006
INVENTOR(S) : Nico Cerletti

It is certified that there is/are an error(s) in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the title page

Item (63) should read:

Related U.S. Application Data

(63) Continuation of application No. 09/316,724, filed on May 21, 1999, now abandoned, which is a continuation of application No. 08/776,444 (now abandoned) filed as application No. PCT/EP95/02719 on July 12, 1995.

Column 1,

The first paragraph under the title should read:

-- This is a continuation of U.S. application Ser. No. 09/316,724, filed on May 21, 1999, now abandoned, which is a continuation of U.S. application Ser. No. 08/776,444, filed on January 24, 1997, now abandoned, which is a 371 of PCT/EP95/02719, filed on July 12, 1995. --.

MAILING ADDRESS OF SENDER:
Peter J. Waibel
Novartis
Corporate Intellectual Property
One Health Plaza, Building 104
East Hanover, NJ 07936-1080
(862) 778-7951

PATENT NO. 7,057,016

NOV 28 2006

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT NO : 7,057,016
DATED: : June 6, 2006
INVENTOR(S) : Nico Cerletti

It is certified that there is/are an error(s) in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the title page

Item (63) should read:

Related U.S. Application Data

(63) Continuation of application No. 09/316,724, filed on May 21, 1999, now abandoned, which is a continuation of application No. 08/776,444 (now abandoned) filed as application No. PCT/EP95/02719 on July 12, 1995.

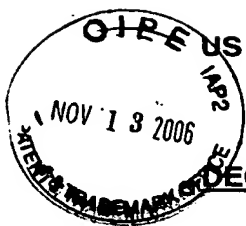
Column 1,

The first paragraph under the title should read:

-- This is a continuation of U.S. application Ser. No. 09/316,724, filed on May 21, 1999, now abandoned, which is a continuation of U.S. application Ser. No. 08/776,444, filed on January 24, 1997, now abandoned, which is a 371 of PCT/EP95/02719, filed on July 12, 1995. --.

MAILING ADDRESS OF SENDER:
Peter J. Waibel
Novartis
Corporate Intellectual Property
One Health Plaza, Building 104
East Hanover, NJ 07936-1080
(862) 778-7951

PATENT NO. 7,057,016



Case 4-20039/A

DECLARATION AND POWER OF ATTORNEY FOR U.S. PATENT APPLICATIONS

☒ Original ☐ Supplemental ☐ Substitute ☒ PCT

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if more than one name is listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

New process for the production of biologically active protein

which is described and claimed in:

- ☐ the attached specification.
- ☐ the specification in U.S. Application No. _____, and as amended on _____ (if applicable).
(day/month/year) (day/month/year)
- ☒ the specification in International Application No. **PCT/EP95/02719**
filed **12.07.95**
(day/month/year)
- assigned U.S. Application No. _____ (if applicable), and as amended
- ☐ under PCT Article 19 on _____ (if applicable)
(day/month/year)
- ☐ under PCT Article 34 on _____ (if applicable)
(day/month/year)
- ☐ and further amended on _____ (if applicable)
(day/month/year)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information which is known by me to be material to the patentability of this application as defined in 37 C.F.R. § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119 (a)-(d) of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America relating to this subject matter having a filing date before that of the application on which priority is claimed:

NOV 28 2006

COUNTRY/REGION (OR PCT)	APPLICATION No.	FILING DATE (day/month/year)	PRIORITY CLAIMED	
European Pat. Off.	94810439.3	25.07.94	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
			<input type="checkbox"/> Yes	<input type="checkbox"/> No
			<input type="checkbox"/> Yes	<input type="checkbox"/> No
			<input type="checkbox"/> Yes	<input type="checkbox"/> No
			<input type="checkbox"/> Yes	<input type="checkbox"/> No

I hereby claim the benefit under 35 U.S.C. § 119 (e) of any United States provisional application(s) listed below:

APPLICATION NO.	FILING DATE (day/month/year)
-----------------	---------------------------------

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) or PCT international application(s) designating the United States listed below and, insofar as the application discloses and claims subject matter in addition to that disclosed in the prior copending application, I acknowledge the duty to disclose all information known by me to be material to patentability as defined in 37 C.F.R. § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

U.S. APPLICATION No.	FILING DATE (day/month/year)	STATUS		
		<input type="checkbox"/> Patented	<input type="checkbox"/> Pending	<input type="checkbox"/> Abandoned
		<input type="checkbox"/> Patented	<input type="checkbox"/> Pending	<input type="checkbox"/> Abandoned
		<input type="checkbox"/> Patented	<input type="checkbox"/> Pending	<input type="checkbox"/> Abandoned
		<input type="checkbox"/> Patented	<input type="checkbox"/> Pending	<input type="checkbox"/> Abandoned
		<input type="checkbox"/> Patented	<input type="checkbox"/> Pending	<input type="checkbox"/> Abandoned

PCT APPLICATION No. (designating the U.S.)	INTERNATIONAL FILING DATE (day/month/year)	U.S. APPLICATION No. (if any)	STATUS
			<input type="checkbox"/> Patented
			<input type="checkbox"/> Pending
			<input type="checkbox"/> Abandoned

10/23/2003

I hereby appoint the following attorneys and agents, each of them with full power of substitution, revocation and appointment of associates, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Michael W. Glynn (Reg. No. 27,285), Edward McC. Roberts (Reg. No. 25,106), Luther A. R. Hall (Reg. No. 27,337), Norbert Gruenfeld (Reg. No. 30,061), JoAnn L. Villamizar (Reg. No. 30,598), Kevin T. Mansfield (Reg. No. 31,635), Marla J. Mathias (Reg. No. 32,663), William A. Teoli, Jr. (Reg. No. 33,104), Henry P. Nowak (Reg. No. 33,200), George R. Dohmann (Reg. No. 33,593), R. Scott Meece (Reg. No. 34,675), Andrea C. Walsh (Reg. No. 34,988), Michael U. Lee (Reg. No. 35,240), Gregory D. Ferraro (Reg. No. 36,134), David R. Crichton (Reg. No. 37,300), Michele A. Kovalski (Reg. No. 37,865), J. Timothy Meigs (Reg. No. 38,241) and Gary M. Pace (Reg. No. P-40,403).

Address all correspondence to Michael W. Glynn, Patent Department, Ciba-Geigy Corporation, 520 White Plains Road, P.O. Box 2005, Tarrytown, NY 10591-9005.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole
or first joint inventor **Nico CERLETTI**

Inventor's signature



Date 19.12.1996
(day/month/year)

Residence **Rütlistrasse 11,
4103 Bottmingen, Switzerland**

Citizenship **Swiss**

Post Office Address **same as above**

NOV 28 2006

FILING RECEIPT



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTORNEY DOCKET NO.	DRWGS	TOT CL	IND CL
09/316,724	05/21/99	1643	\$760.00	4-20039 <i>B/C1</i>	0	18	1

MICHAEL W GLYNN
PATENT DEPARTMENT CIBA-GEIGY CORPORATION
520 WHITE PLAIN
P O BOX 2005
TARRYTOWN NY 10591-9005

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Application Processing Division's Customer Correction Branch within 10 days of receipt. Please provide a copy of the Filing Receipt with the changes noted thereon.

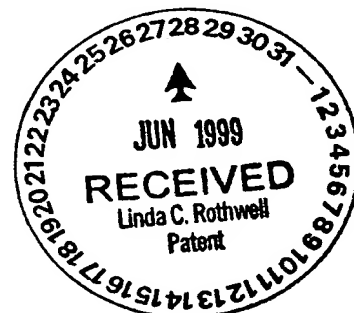
Applicant(s) NICO CERLETTI, BOTTMINGEN, SWITZERLAND.

CONTINUING DATA AS CLAIMED BY APPLICANT-
THIS APPLN IS A CON OF PCT/EP95/02719 07/12/95

FOREIGN APPLICATIONS- EPO 94810439.3

IF REQUIRED, FOREIGN FILING LICENSE GRANTED 06/15/99
TITLE
NEW PROCESS FOR THE PRODUCTION OF ~~BIOLOGICALLY~~ ACTIVE
PROTEIN
BIOLOGICALLY

PRELIMINARY CLASS: 530



DATA ENTRY BY: DIXON, DOROTHY L. TEAM: 04 DATE: 06/15/99 NOV 28 2005

BEST AVAILABLE COPY